SHRI SURESH KALMADI: What action is the Government taking?

THE DEPUTY CHAIRMAN: When they come with the statement, they will come with action.

SHRI SURESH KALMADI: The Members also condemn the Government for inaction. That also should be noted.

SHRI SUBRAMANIAN SWAMY: They should come with resignation and not with a statement.

MESSAGE FROM THE LOK SABHA

The Constitution (Seventy-sixth Amendment) Bill, 1990

SECRETARY-GENERAL: Madam, I have to report to the House the following message received from the Lok Sabha signed by the Secretary-General of the Lok Sabha:

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Constitution (Seventy-sixth Amendment) Bill, 1990 which has been passed by Lok Sabha at its sitting held on the 4th October, 1990, in accordance with the provisions of article 368 of the Constitution of India".

Madam, I lay a copy of the Bill on the Table.

THE LEADER OF THE HOUSE (SHRI M. S. GURUPADASWAMY): Just a minute, Madam. May I make a request? The Constitution (Amendment) Bill should be taken up at 2 o'clock and finished at 5 o'clock.

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu): Why are you rushing it?

SHRI M. S. GURUPADASWAMY: My suggestion to you and the House is that we may take up the Constitution (Amendment) Bill at 2 o'clock and let the voting be at 5 o'clock.

THE DEPUTY CHAIRMAN: Okay, just a second...Hon'ble Leader of the House, I have got Special Mentions listed before me and the other day also the Special Mentions were not taken. I request the hon. Members not to have lunch hour today and have Special Mentions because they are special. I think they are on issues which are very serious. So let us have those and at 2 o'clock we can take up the Punjab Constitution (Amendment) Bill and have voting at 6 o'clock.

THE MINISTER OF INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): At 5 o'clock, Madam, because it has to be reported back to the Lok Sabha and sent to the President.

THE LEADER OF THE OPPOSITION (SHRI P. SHIV SHANKER): We submit ourselves to the ruling of the Chair.

THE DEPUTY CHAIRMAN: No interruptions, please.

SHRI M. S. GURUPADASWAMY: We will withdraw our list of speakers.

THE DEPUTY CHAIRMAN: They are withdrawing their speakers.

SHRI P. SHIV SHANKER: We submit ourselves to the ruling that you have been pleased to give and the observations that you were pleased to make. We can skip lunch hour and we can go ahead with the Special Mentions, otherwise the Special Mentions will be relegated to the background. After lunch hour, we start with the Constitution (Amendment) Bill. The Business Advisory Committee has decided on certain time. Five hours have been allotted for discussion on this Bill. Now if they withdraw all their speakers, then so far as our speakers are concerned, we will speak.

SHRI ATAL BIHARI VAJPAYEE (Madhya Pradesh): You also withdraw your speakers.

SHRI P. SHIV SHANKER: Why should we? Are you withdrawing?

श्री अटल बिहारी वाजपेयी : अगर आप विद-ड्रा कर लें तो हम भी विद-ड्रा कर लेंगे ।

श्री पी० शिव शंकर : यह क्या बात हुई भला ?

SHRI M. S. GURUPADASWAMY: We will not come in the way of your speakers. But we withdraw our speakers.

SHRI P. SHIV SHANKER: We take it up at 2 or 2.30?

THE DEPUTY CHAIRMAN: At 2 o'clock. I will finish with the Special Mentions before that.

SHRI P. UPENDRA: There is another point also. Tomorrow we are bringing a Statutory Resolution on the same subject. Those speakers who cannot speak today can speak tomorrow also. There will be another opportunity tomorrow.

SHRI P. SHIV SHANKER: Mr. Minister of Parliamentary Affairs, don't put down such types of conditions Let me make the position clear. We have agreed to cooperate with the Leader of the House to waive all the rules and pass this Bill today itself. We have agreed. But I must equally condemn the Government for not bringing this Bill in the last session itself. If they wanted, they could have brought this Bill in the last session, by extending the session for two or three days. They have called this special session, and so much money has been wasted for the purpose of calling this special session for this purpose, and because of the inept handling of the Parliamentary Affairs Minister in the other House, it could not be passed on the 1st...(*Interruptions*)... It is not our mistake. Mr. Minister, it is not the mistake of this House. Madam, whatever happened there, he wants to compensate here. This is not the proper approach on his part. He is a very bad son-in-law, who behaves there as a son-in-law and comes here as a son! We are not prepared to accept this type of a thing.

THE DEPUTY CHAIRMAN: Mr. Shiv Shanker, if you are giving him this credit, to be the son of this House, then I think you should be tolerant towards him!

SHRI P. SHIV SHANKER: No, not at all! The misfortune is, he is not a well-behaving son here. That is the whole difficulty. He spends all his time there. The only thing is, he comes here for the sake of convenience. Therefore, Madam, my sub-mission is....

SHRI A.G. KULKARNI (Maharashtra): It is between you and Mr. Upendra.

SHRI P. SHIV SHANKER: Madam, we would have insisted on the extension of this session by another day, but we have not done so because the Leader of the House was particular that it should be passed today itself. In consideration of what the Chairman has been pleased to observe and what the Leader of the House has said, we have agreed to that. But he should not create more confusion for us. For his mistakes, we can't be responsible. Therefore, while we will pass it today, there should be a proper discussion also. If they want to withdraw their speakers, let them withdraw, but our speakers will certainly speak.

THE DEPUTY CHAIRMAN: Mr. Shiv Shanker, I will calculate the time allotted for the Congress Party and that full time would be given. If anybody wants to withdraw, you should have no objection. According to my calculation, it comes to about two hours. Because it is five hours, it comes to two hours and 15 minutes.

SHRI P. SHIV SHANKER. In five hours it is two and a half hours.

THE DEPUTY CHAIRMAN: No. But, two hours and 15 minutes or whatever it is, let us not haggle about one minute or two minutes. Whatever time is allocated to the Congress Party, would be given fully. If other Members want to withdraw, then I think you have no objection.

SHRI P. SHIV SHANKER: No. Why should I object? We will welcome them to withdraw.

SHRI SUBRAMANIAN SWAMY (Uttar Pradesh): I am on a point of order...(*Interruptions*)...

उपसभापति : आप बैठिए, आपका विंद-ड्रा नहीं किया है।

डा. रत्नाकर पाण्डेय (उत्तर प्रदेश) : महोदया मैं जानना चाहता हूं कि चूंकि उपेन्द्र जी को सदन का पुत्र माना गया है तो इनके मां-बाप कौन ..(व्यवधान)..

उपसभापति : प्लीज, आप बैठ जाइए।

डा. रत्नाकर पाण्डेय : महोदया, हमारी पार्टी के लीडर ने इनको सदन का पुत्र माना है तो मैं आपके माध्यम से यहां जानना चाहता हूं कि सदन के पुत्र के मां-बाप कौन हैं ?

THE DEPUTY CHAIRMAN: I don't know. We are not discussing that.

SHRI SUBRAMANIAN SWAMY: The Leader of the House has just said that they will withdraw all their speakers from the debate. Now, it is well known that there are two factions, clearly, in that party. So which faction's speakers will be withdrawn, could he make that clear?

THE DEPUTY CHAIRMAN: When the time comes, you will know. We will take up Special Mentions now. Mr. M. C. Bhandare...(*Interruptions*)... I request you, let me handle this House in order. Please, I implore upon the Members. I want to announce to the House, before the honourable Members leave, that the division would be at six o'clock today.

SHRI M. M. JACOB (Kerala): Why this exodus?

THE DEPUTY CHAIRMAN: For lunch. Everybody is hungry, I think.

SPECIAL MENTIONS

Alleged negligence in Medical Treatment of the Former Chief Justice of India who died in London

SHRI MURLIDHAR CHANDRAKANT BHANDARE (Maharashtra): Madam, I rise to place before this House the anguish and anger not only of the members of the Bar and the judiciary but of the large masses of the people of this country over the negligence in rendering medical assistance and treatment to late Chief Justice, Sabyasachi Mukharji, Chief Justice of India in London prior to his demise.

On the 25th of September 1990, Chief Justice Sabyasachi Mukharji breathed his last in the Royal Free Hospital, Hampstead, in U.K. Justice Sabyasachi Mukharji had assumed the high office of Chief Justice hardly nine months earlier. By his independence, integrity and industry he had brought a new lustre to this high office. When he left to attend the Fifth Appellate Judges Conference in the USA, nobody had imagined that he would not return to India alive. His sudden and premature death is a great loss to the judiciary in our country, particularly at a time when it is going through difficult times. Chief Justice Mukharji strengthened the impartial and independent image of the judiciary.

His sudden death has raised several questions. Shri Mukharji, when he alighted from the plane at the